



525 Rec'd PCT/PTO 28 JUN 2002

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Docket No.: 50069-1

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

Kenichi TABATA, et al.

Serial No.: 10/030,249

Group Art Unit:

Filed: January 09, 2002

Examiner:

For: DISPOSABLE ABSORBENT ARTICLE

**RESPONSE TO NOTICE  
OF MISSING REQUIREMENTS**

Box Missing Parts  
Commissioner for Patents  
Washington, DC 20231

Sir:

In response to the Notice of Missing Requirements dated April 1, 2002, submitted  
herewith are the following documents for filing in the above-referenced application:

1. Declaration and Power of Attorney (which is in compliance with 37 CFR 1.63)
2. Assignment Document
3. Information Disclosure Statement
4. Petition for Extension of Time
5. PCT Transmittal Letter

Please charge Deposit Account No. 500417 in the amount of \$0.00. To the extent  
necessary, Applicants petition for an extension of time under 37 C.F.R. 1.136. Please charge any



20277

PATENT TRADEMARK OFFICE

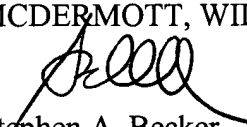
10/030,249

shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

It is requested that the official filing receipt now be issued.

Respectfully submitted,

MCDERMOTT, WILL & EMERY



Stephen A. Becker  
Registration No. 26,527

600 13<sup>th</sup> Street, N.W.  
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**Date: June 28, 2002**



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/030,249	Kenichi Tabata	50069-110

INTERNATIONAL APPLICATION NO.	
PCT/JP00/04755	
I.A. FILING DATE	PRIORITY DATE
07/14/2000	

20277  
 MCDERMOTT WILL & EMERY  
 600 13TH STREET, N.W.  
 WASHINGTON, DC 20005-3096

RECEIVED  
 APR 05 2002  
 MW&E

CONFIRMATION NO. 1960  
 371 FORMALITIES LETTER

\*OC000000007729667\*



Mailed: 04/01/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Preliminary Amendments
- Request for Immediate Examination

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

LAMONT<sup>TM</sup> HUNTER

Telephone: (703) 305-3686

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/030,249	PCT/JP00/04755	50069-110

FORM PCT/DO/EO/905 (371 Formalities Notice)

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

50069-110

U.S. APPLIC. NO. (if known, see 37 CFR 1.5)

10/030,349

INTERNATIONAL APPLICATION NO.

PCT/JP00/04755

INTERNATIONAL FILING DATE

July 14, 2000

PRIORITY DATE CLAIMED

July 14, 1999

TITLE OF INVENTION

DISPOSABLE ABSORBENT ARTICLE

APPLICANTS FOR DO/EO/US

Kenichi TABATA, Hiroshi ONO, Haruhiko NASA, Kazunori ITO, Kazumichi OGAWA, Hideki SAIGA

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendment has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.  
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☐ Other items or information.

U.S. APPLIC. NO. (if known, see 37 CFR 1.50) 10/030,249	INTERNATIONAL APPLICATION NO. PCT/JP00/04755	ATTORNEY'S DOCKET NUMBER 50069-110
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	<b>CALCULATIONS</b>	PTO USE ONLY																																												
17. <input type="checkbox"/> The following fees are submitted:  <b>Basic National Fee (37 CFR 1.492(a)(1)-(5)):</b> Search Report has been prepared by the EPO or JPO <span style="float: right;">\$890.00</span>  International preliminary examination fee paid to USPTO (37 CFR 1.482) <span style="float: right;">\$710.00</span> No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) <span style="float: right;">\$740.00</span>  Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO <span style="float: right;">\$1,040.00</span>  International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) <span style="float: right;">\$100.00</span>  <div style="text-align: right;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></div>	\$0.00																																													
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).	\$ 0.00																																													
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:20%;">Claims</th> <th style="width:20%;">Number Filed</th> <th style="width:20%;">Number Extra</th> <th style="width:20%;">Rate</th> </tr> <tr> <td>Total Claims</td> <td style="text-align: center;">-20 =</td> <td style="text-align: center;">0</td> <td style="text-align: center;">x \$18.00</td> </tr> <tr> <td>Independent Claims</td> <td style="text-align: center;">-3 =</td> <td></td> <td style="text-align: center;">x \$84.00</td> </tr> <tr> <td colspan="3">Multiple dependent claim(s) (if applicable)</td> <td style="text-align: center;">+ \$280.00</td> </tr> <tr> <td colspan="3" style="text-align: right;"><b>TOTAL OF ABOVE CALCULATIONS =</b></td> <td style="text-align: center;">\$0.00</td> </tr> <tr> <td colspan="3">Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).</td> <td style="text-align: center;">\$0.00</td> </tr> <tr> <td colspan="3" style="text-align: right;"><b>SUBTOTAL =</b></td> <td style="text-align: center;">\$0.00</td> </tr> <tr> <td colspan="3">Processing fee of \$130.00 for furnishing the English translation later than the <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).</td> <td style="text-align: center;">\$ 0.00</td> </tr> <tr> <td colspan="3" style="text-align: right;"><b>TOTAL NATIONAL FEE =</b></td> <td style="text-align: center;">\$0.00</td> </tr> <tr> <td colspan="3">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.</td> <td style="text-align: center;">\$ 40.00</td> </tr> <tr> <td colspan="3" style="text-align: right;"><b>TOTAL FEES ENCLOSED =</b></td> <td style="text-align: center;">\$0.00</td> </tr> </table>	Claims	Number Filed	Number Extra	Rate	Total Claims	-20 =	0	x \$18.00	Independent Claims	-3 =		x \$84.00	Multiple dependent claim(s) (if applicable)			+ \$280.00	<b>TOTAL OF ABOVE CALCULATIONS =</b>			\$0.00	Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).			\$0.00	<b>SUBTOTAL =</b>			\$0.00	Processing fee of \$130.00 for furnishing the English translation later than the <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).			\$ 0.00	<b>TOTAL NATIONAL FEE =</b>			\$0.00	Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.			\$ 40.00	<b>TOTAL FEES ENCLOSED =</b>			\$0.00	Amount to be: refunded	\$
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	charged	\$0.00																																												

a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. 500417 in the amount of \$ 0.00 to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 500417. A duplicate copy of this sheet is enclosed.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

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 Washington, DC 20005-3096  
 (202) 756-8000  
 Facsimile (202) 756-8087

SIGNATURE

Stephen A. Becker

NAME

26.527

REGISTRATION NUMBER

June 28, 2002

DATE